

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
MINUTES OF PROCEEDINGS

OFFICE: TRENTON
JUDGE JOEL A. PISANO
COURT REPORTER: JOANNE CARUSO

DATE OF PROCEEDINGS: 10/16/2012

TITLE OF CASE:
UNITED STATES OF AMERICA
vs.

CRIMINAL DOCKET #: 09-858(JAP)-01

BENJAMIN PENA, DEFENDANT PRESENT.

APPEARANCES:

Robert Zink, Assistant United States Attorney
Robert G. Stahl, Esquire for Defendant
Laura Gasiorowski, Esquire for Defendant
Lisa Trimboli, Senior, U.S. Probation Officer

NATURE OF PROCEEDINGS:

Ordered interpreter (American Sign Language) sworn; Anna Steckel & Daniel Swartz sworn.

DEFENDANT FOUND GUILTY ON COUNTS 1,2,3,5&6 BY A JURY VERDICT ON 06-23-2010.

DEFENDANT SENTENCED TO COUNTS 1,2,3,5&6 OF THE INDICTMENT:

55 months of imprisonment on each count, all counts to run concurrently, with certain recommendations to the Bureau of Prison.

Ordered defendant to voluntarily surrender to the institution or the U.S. Marshal's Office on 11/27/2012 by 9:00 a.m.

SUPERVISED RELEASE: 3 years on each count, to be served concurrently with special conditions.

PROBATION: N/A

FINE: Waived in lieu of restitution.

RESTITUTION: \$1.28 million dollars (interest waived)

SPECIAL ASSESSMENT: \$100 per count; total: \$500 (due immediately)

Defendant advised of his right to appeal.

Ordered bail to be continued with an electronic monitor installed by the U.S. Probation Department.

TIME COMMENCED: 10:20 a.m.

TIME ADJOURNED: 12:20 p.m.

TOTAL TIME: 1 hour & 20 minutes

s/Dana Sledge
Courtroom Deputy